

25. The bone marrow hematopoietic stem cell of claim 22, wherein said DNA is inserted into said cell by transduction.

26. The bone marrow hematopoietic stem cell of claim 22, wherein said DNA is inserted into said cell by a retrovirus.

27. The bone marrow hematopoietic stem cell of claim 26, wherein said retrovirus is a Moloney-based retrovirus.

28. A mammalian bone marrow hematopoietic stem cell, said stem cell having inserted therein DNA encoding an MHC class I antigen from an MHC nonidentical donor of the same species.

Q²
29. The mammalian bone marrow hematopoietic stem cell of claim 28, wherein said mammal is a human.

30. The bone marrow hematopoietic stem cell of claim 28, wherein said stem cell is capable of expressing said DNA in a recipient human and when introduced into said recipient human is capable of inhibiting said recipient's immune response to a tissue of said donor, which tissue expresses the same MHC class I antigen as that encoded by said DNA.

31. The mammalian bone marrow hematopoietic stem cell of claim 28, wherein said DNA is inserted into said cells by transduction.

32. The mammalian bone marrow hematopoietic stem cell of claim 28, wherein said DNA is inserted into said cells by a retrovirus.

33. The mammalian bone marrow hematopoietic stem cell of claim 32, wherein said retrovirus is a Moloney-based retrovirus.

Sub B1 → 34. A method for inhibiting a mammalian recipient's ability to mount an immune response against an MHC class I antigen of tissue from a donor mammal of the same species to be provided to said recipient, comprising:

providing said recipient with a cell composition comprising recipient species bone marrow hematopoietic stem cells having inserted therein DNA encoding an MHC class I antigen to be expressed in said recipient, said MHC class I antigen being the same as that expressed by donor tissue to be provided to said recipient, to thereby inhibit said recipient's ability to mount an immune response against said MHC class I antigen expressed by the donor tissue.

A2 35. The method of claim 34, wherein said cells are removed from said recipient prior to said insertion and returned to said recipient after said insertion.

36. ~~The method~~ of claim 34, wherein said recipient is a human.

37. The method of claim 34, wherein said DNA is inserted into said cells by transduction.

38. The method of claim 34, wherein said DNA is inserted into said cells by a retrovirus.

39. The method of claim 34, wherein said retrovirus is a Moloney-based retrovirus.

SUMMARY

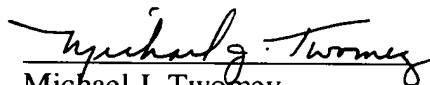
Claims 1-21 were pending in the application as filed. By the present Amendment, claims 1-21 are cancelled, without prejudice to further prosecution in a related application, and claims 22-39 are added. As the Amendment is not in response to any pending rejections, Applicant

submits that the Amendment is made to expedite prosecution of certain preferred embodiments, and is not related to reasons of patentability. Applicant submits that no new matter is introduced by the Amendment.

Applicant requests that the Examiner reconsider the application and claims in light of the foregoing Amendment, and respectfully submits that the claims, as amended, are in condition for allowance. If, in the Examiner's opinion, a telephonic interview would expedite the favorable prosecution of the present application, the undersigned attorney would welcome the opportunity to discuss any issues, and to work with the Examiner toward placing the application in condition for allowance.

A petition for a four-month Extension of Time for Response is submitted herewith. The Commissioner is hereby authorized to charge the fee for the petition, and any other fees now required to maintain the pendency of the application, to Deposit Account No. 08-0219.

Respectfully submitted,
Hale and Dorr, LLP


Michael J. Twomey
Reg. No. 38,349

Hale and Dorr, LLP
60 State Street
Boston, MA 02109
Tel. (617) 526-6190
Fax. (617) 526-5000